

JEFFERSON COUNTY COMMISSIONERS  
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KEN WEBER, CHAIR

CHUCK NOTBOHM

TOM LYTHGOE

**PROCEEDING OF THE BOARD OF COMMISSIONERS  
COUNTY OF JEFFERSON, STATE OF MONTANA  
November 18, 2008**

**Present:** Commissioners Lythgoe and Weber; Mike Hoffman, County Planner; Joe Carter, Road Supervisor; Tileo and Joan Forcella, Bob Beverly, Dave Kirsch

**Absent:** Commissioner Notbohm

**MINUTES**

Commissioner Weber moved to approve the minutes of October 28. Commissioner Lythgoe seconded. The motion carried.

**CALENDAR REVIEW**

11/19 Manual re-count of ballots - 8:30  
11/20 Zoning Commission - 4:00  
Clancy Library sub-committee - 6:00  
11/25 MTAG - 5:00

**COMMISSION REPORTS**

**SAINT PETER'S HOSPITAL**

Commissioner Lythgoe reported that he was invited to go to Saint Peter's Hospital for a press conference. They will be opening a 24-bed psych unit at the hospital to provide some inpatient care for people with mental illness. The stay will probably be no more than 6 to 10 days. St. Peter's did have a psych unit years ago, which they closed about 10 years ago. It made a difference not having it, and the tri-county area is excited to have it opening again.

**CORRESPONDENCE**

Commissioner Weber read a letter from Patty O'Neill, County Treasurer, asking the Commission if they would be willing to agree to monthly property tax payments, as well as the letter from the

taxpayer outlining the circumstances (letter on file in the Clerk and Recorder's office). Commissioner Lythgoe stated that if there are extenuating circumstances, we have done this in the past. He moved that we instruct Matt to contact these people to find out what is best for them, and to draw up a contract. Commissioner Weber seconded. The motion carried.

A trail easement across two parcels of County land on the Continental Divide was presented for signature. A trail is being developed by the Forest Service, and they need this easement to facilitate the trail.

Minutes from the canvas of the election the previous week were presented for signature.

### **SUBDIVISION REVIEW**

#### **FINAL PLAT REVIEW – FORCELLA MINOR SUBDIVISION**

Mike Hoffman, County Planner, presented his staff report on this one-lot split located south of Whitehall. The parcel contains 96.93 acres, which is proposed to be split into two tracts 7.57 and 89.36 acres in size. Mike recommended that final plat approval be granted.

Commissioner Weber moved to grant final plat approval. Commissioner Lythgoe seconded. The motion carried.

#### **DISCUSS AND DECIDE ON VARIANCE REQUEST – PINE MEADOWS MAJOR SUBDIVISION**

Mike stated that the developer called that morning and asked to rescind the request.

### **ITEMS FOR COMMISSIONERS ACTION OR REVIEW**

#### **RESOLUTION 43-2008 DISTRIBUTION OF METALLIFEROUS MINES LICENSE TAX**

Commissioner Weber stated that this was on the agenda two weeks ago. The distribution amounts and percentages have changed after research of past minutes. The resolution was read as follows:

#### **RESOLUTION 43-2008**

#### **DISTRIBUTION OF METALLIFEROUS MINES LICENSE TAX**

**WHEREAS**, §15-37-117, MCA, requires that twenty-five percent (25%) of metalliferous mines license taxes, collected by the State under the authority of Title 15, Chapter 37, Part 1, MCA, be distributed to the county in which the mine is located; and

**WHEREAS**, § 15-37-117, MCA, requires the County Commissioners of such county to allocate those sums received by them, from said metalliferous mines license taxes collected by the State, as follows:

(1) Not less than forty percent (40%) to the County Hard Rock Mine Trust Reserve Account established under § 7-6-2225, MCA; and

(2) All money, not allocated to the said County Hard Rock Mine Trust Reserve Account, is to be allocated as follows:

(a) 33⅓% to the County Metal Mines Tax Reserve Account for planning or economic development activities;

(b) 33⅓% to the elementary school districts Metal Mines Tax Reserve Account, within the County, that have been affected by the development or operation of the metal mines; and,

(c) 33⅓% to the high school districts Metal Mines Tax Reserve Account within the County that have been affected by the development of operation of the metal mine; and

**WHEREAS**, there are several metalliferous mines located within the boundaries of Jefferson County; and

**WHEREAS**, Jefferson County government has recently received \$495,884.26 as its share of such metalliferous mines license taxes collected from the metalliferous mines within Jefferson County,

**NOW, THEREFORE, BE IT RESOLVED** by the Jefferson County Board of Commissioners as follows:

1. That forty percent (40%) of such total sum of \$495,884.26 shall be allocated to and placed in, the County Hard Rock Mine Trust Reserve Fund 2895 established under § 7-6-2225, MCA.

2. That all such sums, held in the above-referenced Hard Rock Mine Trust Reserve Fund and/or above-numbered fund(s) on behalf of the above-named school districts and Jefferson County, shall remain in such account and shall be properly accounted for under the appropriate fund number or numbers established for the same. Further, such sums shall be appropriated by the governing body of Jefferson County, and/or distributed thereby, only in accordance with the provision of § 7-6-2226, MCA.

3. That sixty percent (60%) of such total sum of \$495,884.26 shall be allocated to, and placed in, the County Metal Mines Tax Reserve Account established under § 7-6-2226, MCA.

4. That one-third ( $\frac{1}{3}$ ) of the said sixty percent (60%) placed in the County Metal Mines Tax Reserve Account pursuant to the preceding Paragraph No. 3 shall be placed in Economic Development and Planning Account No. 2320. Such sums to be paid to said account (totaling at this time, the sum of \$99,176.85) shall only be used for planning or economic development activities.

5. That one-third ( $\frac{1}{3}$ ) of the said sixty percent (60%), placed in the County Metal Mines Tax Reserve Account pursuant to the above Paragraph No. 3, shall be allocated and appropriated to the benefit of elementary school districts. Wherefore, the County Commission has decided that the distribution of the Tunnels license tax will be administered to Clancy receiving 55%, Boulder receiving 40%, and Basin receiving 5% of the one-third allocation of the said sixty percent (60%). There is also a distribution using a pro-rata basis determined from the license taxes collected from all other mines within each such school district. Wherefore, the combined distributions shall be allocated and distributed to the following school districts which are affected by the development or operation of metal mines with an amount as follows:

(i) To the Cardwell Elementary School District No. 16, the total sum of \$31,211.68 to be placed in said School District's Account No. 7716;

(ii) To the Whitehall Elementary School District No. 4-47, the total sum of \$31,211.68 to be placed in said School District's Account No. 7713;

(iii) To the Clancy Elementary School District No. 1, the total sum of \$20,214.43 to be placed in said School District's Account No. 7712;

(iv) To the Boulder Elementary School District No. 7, the total sum of \$14,701.40 to be placed in said School District's Account No. 7715;

(v) To the Basin Elementary School District No. 5, the total sum of \$1,837.68 to be placed in said School District's Account No. 7714;

6. That one-third ( $\frac{1}{3}$ ) of the said sixty percent (60%), placed in the County Metal Mines Tax Reserve Account pursuant to the above Paragraph No. 3, shall be allocated and appropriated to the benefit of the following high school districts, affected by the development or operation of the several metal mines, on a pro-rata basis determined from the license taxes collected from the mine or mines within each such school district:

(i) To the Whitehall High School District No. 2, the total sum of \$62,423.35 to be placed in said School District's Account No. 7762;

(ii) To the Boulder High School District No 1, the total sum of \$36,753.50 to be placed in said School District's Account No. 7761.

**DATED** this 5<sup>th</sup> day of November, 2008.

**ATTEST:**

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**BONNIE RAMEY**  
**CLERK AND RECORDER**

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**KEN WEBER, CHAIR**

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**TOMAS E. LYTHGOE, COMMISSIONER**

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**CHUCK NOTBOHM, COMMISSIONER**

Commissioner Weber moved to adopt the resolution. Commissioner Lythgoe seconded. The motion carried.

**DISCUSS AND DECIDE ON REQUEST FOR FUNDING FROM THE RED CROSS**

Commissioner Weber stated that the Commission received a request for funding from the Red Cross in August. At the time, it was unclear what the County would be getting from PILT and SRS. Since then, we have found that we will be getting full funding from PILT and more SRS funds.

Rod Kopp, CEO for Red Cross for the State of Montana, stated that this is an unprecedented move by the Red Cross in Montana. They have previously been subsidized in the State of Montana by the American National Red Cross, to the tune of \$200,000 to \$400,000 a year. This is no longer happening, and they now have to raise the funding to continue operations. Rod stated that they provide three main services – disaster preparedness and response services, personal and on a larger scale, emergency communication and safety training. Last fiscal year, they spent about \$250,000 to \$260,000 across the state. They are beginning to track their spending by county. Rod stated that they currently raise about 80% of their operating funds through charitable support. They have also done some aggressive cost-cutting, moving from 18 staff people down to 6. The Red Cross is looking for support from counties to the tune of \$150,000 to \$200,000. They are also approaching the governor's office and legislators for support during the upcoming session. Commissioner Weber stated that he has had the unfortunate opportunity to use the Red Cross's services when his house burned down recently, and the response from the Red Cross was wonderful and much appreciated.

Commissioner Lythgoe moved to fund the Red Cross out of PILT to the tune of \$5,000 this fiscal year. Commissioner Weber seconded. The motion carried.

Commissioner Lythgoe moved to adjourn. Commissioner Weber seconded. The motion carried.

**MEETING ADJOURNED**

**ATTEST:**

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**BONNIE RAMEY  
CLERK AND RECORDER**

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**KEN WEBER, CHAIR**

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**TOMAS E. LYTHGOE, COMMISSIONER**

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**CHUCK NOTBOHM, COMMISSIONER**